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Docket No. CRD0933CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Robert Falotico, et al.

Serial No. : 10/829,044

Art Unit: 3743

Filed

: April 21, 2004

Examiner: Not yet assigned

For

: Drug/drug DELIVERY SYSTEMS FOR THE PREVENTION AND

TREATMENT OF VASCULAR DISEASE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 18, 2005
(Date of Deposit)

Carl J. Evens
(Name of applicant, assignee, or Registered Representative)

/Carl J. Evens/
(Signature)

October 18, 2005
(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

\square In accordance with §1.129(a), this Information
Disclosure Statement is being filed in connection with \square the
first or _second After Final Submission, therefore:
<pre>Statement in Accordance with §1.97(e)</pre>
(attached); or
Please charge Deposit Account No. 10-
0750/ / the fee of $$180.00$ as set forth
in §1.17(p).

In accordance with §1.97(c), this Information
Disclosure Statement is being filed after the period set forth
in §1.97(b) above but before the mailing date of either a Final
Action under §1.113 or a Notice of Allowance under §1.311, or
an action that otherwise closes prosecution and that it is
accompanied by one of:

		Statement in Accordance with §1.97(e)
		(attached); or
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		in §1.17(p).
	In ac	cordance with §1.97(d), this Information
Disclosure	Stat	ement is being filed after the mailing date of
either a F	inal	Action under §1.113 or a Notice of Allowance
under §1.	311 b	ut before the payment of the Issue Fee.
Applicant(s) he	reby petition(s) for consideration of this
Information	n Dis	closure Statement. Included are: Statement in
Accordance	with	§1.97(e) as set forth below and the fee of
\$180.00 as	set	forth in §1.17(p).
	_	s of each of the references listed on the
attached F	orm P	TO-1449 are enclosed herewith.
П	Copie	s of references listed on the attached Form PTO-
		ed herewith EXCEPT THAT:
		· · · · · · · · · · · · · · · · · · ·
		In view of the voluminous nature of references
		[list as appropriate], and the likelihood that
		these references are available to the Examiner,
		copies are not enclosed herewith.
		•
		If any of the foregoing publications are not
		available to the Examiner, Applicant will
		endeavor to supply copies at the Examiner's
		request.
\boxtimes	Copie	es of only foreign patent documents and non-
natent lit	eratii	re are enclosed in accordance with 37 CEP 1 98

(a)(2).

igtiises There are no listed r English language.	references which are not in the
The relevance of thos not in the English language is	se listed references which are as follows:
Attached are copies of corresponding patent application attached Submission Under MPEP	
Attached are the foll patent applications which may b listed on the attached Submissi	
Please charge any deficient Deposit Account No. 10-0750/CRD submitted in triplicate.	cy or credit any overpayment to
	Respectfully submitted,
,	Carl J. Evens/
I	Carl J. Evens Reg. No. 33,874 Attorney for Applicants
Johnson & Johnson	

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2518 DATED: October 18, 2005 PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE eduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 19

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Application Number	10/829,044				
Filing Date	4/21/2004				
First Named Inventor	Robert Falotico				
Group Art Unit	3743				
Examiner Name					
Attorney Docket Number	CRD0933CIP				

U.S. PATENT DOCUMENTS

		U.S. Patent Document				
Examiner Initials	Cite No.1		nd Code ² f known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		D359,802		Fontaine	6/27/1995	
		2001/0007083	A1	Roorda (PATENT APP. PUBLICATION)	7/05/2001	
		2001/0029660	A1 ,	Johnson, Michael W.	10/18/2001	
		2001/0032014	A1	Yang, Dachuan et al.	10/18/2001	
		2001/0034363	A1	Li, Chun et al.	10/25/2001	
		2001/0037145	A1	Guruwaiya, Judy A. et al.	11/01/2001	
,,		2003/216699	A1	Falotico	11/20/2003	
		3,657,744		Ersek	4/25/1972	
		3,932,627		Margraf	1/13/1976	
		4,292,965		Nash et al.	10/06/1981	
		4,441;216		lonescu et al.	4/10/1984	-
		4,503,569		Dotter	3/12/1985	
		4,553,545		Maass et al.	11/19/1985	
		4,580,568		Gianturco	4/8/1986	
		4,613,665		Larm	9/23/1986	
		4,655,771		Wallsten	4/07/1987	
		4,733,665		Palmaz	3/29/1988	
		4,739,762		Palmaz, J.C.	4/26/1988	
	ļ	4,776,337		Palmaz	10/11/1988	
		4,800,882		Gianturco	1/31/1989	
		4,856,516		Hillstead	8/15/1989	

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2 of 19

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A	pplication Number	10/829,044				
F	iling Date	4/21/2004				
F	irst Named Inventor	Robert Falotico				
G	Group Art Unit	3743				
E	xaminer Name					
Α	Attorney Docket Number	CRD0933CIP				

U.S. PATEN	T	DOCUMENTS
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		U.S. Patent Document Kind Code ² Number (if known)				
Examiner Initials	Cite No. ¹			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		4,872,867		Joh	10/10/1989	
		4,886,062		Wiktor	12/12/1989	
		4,907,336		Gianturco	3/13/1990	
		4,916,193		Tang et al.	4/10/1990	
		4,954,126		Wallsten	9/4/1990	
		4,969,458		Wiktor	11/13/1990	
		4,990,131 4,990,155		Dardik	2/5/1991	
				Wilkoff	2/5/1991	
		4,994,071		MacGregor	2/19/1991	
		5,015,253		MacGregor	5/14/1991	
		5,035,706		Gianturco	7/30/1991	
		5,041,100		Rowland, S.M. et al.	8/20/1991	
		5,041,126		Gianturco	8/20/1991	
		5,049,132		Shaffer, M.A. et al.	9/17/1991	
		5,053,048		Pinchuk	10/01/1991	
		5,061,275		Wallsten et al.	10/29/1991	
		5,061,750		Feijen, J. et al.	10/29/1991	
		5,064,435		Porter	11/12/1991	

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Sheet 3 of 19

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Application Number	10/829,044
Filing Date	4/21/2004
First Named Inventor	Robert Falotico
Group Art Unit	3743
Examiner Name	
Attorney Docket Number	CRD0933CIP

U.S. PATENT DOCUMENTS

-		U.S. Patent Document				
Examiner Initials	Cite No.1		d Code ² (known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		5,092,877		Pinchuk	3/3/1992	
		5,102,417		Palmaz	4/7/1992	
		5,104,404		Wolff	4/14/1992	
		5,116,365		Hillstead	5/26/1992	
		5,122,154		Rhodes	6/16/1992	
		5,131,908		Dardik et al.	7/21/1992	
		5,133,732		Wiktor	7/28/1992	
		5,134,192		Feijen, J. et al.	7/28/1992	
		5,135,536	`	Hillstead	8/4/1992	
		5,163,952		Froix	11/17/1992	
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		5,171,262		MacGregor	12/15/1992	
		5,176,660		Truckai	1/5/1993	
		5,178,618		Kandarpa	1/12/1993	
		5,180,366		Woods	1/19/1993	
		5,182,317		Winters et al.	1/26/1993	
 		5,185,408		Tang et al.	2-09/1993	
		5,192,307		Wall	3/9/1993	
·1 =1		5,195,984		Shalz	3/23/1993	
		5,213,576		Abiuso, C.L. et al.	5/25/1993	
		5,217,483		Tower	6/8/1993	
		5,222,971		Willard et al.	6/29/1993	

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Signat	ure	Considered	

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n 1449A/PTO	Application Number	10/829,044
	Filing Date	4/21/2004
RMATION DISCLOSURE	First Named Inventor	Robert Falotico
EMENT BY APPLICANT	Group Art Unit	3743
	Examiner Name	
(use as many sheets as necessary) Sheet 4 of 19	Attorney Docket Number	CRD0933CIP

U.S. PATENT DOCUMENTS

U.S. Patent Document						
Examiner Initials	Cite No. ¹		d Code ² (known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		5,226,913		Pinchuk	7/13/1993	
		5,234,456		Silvestrini, T.	8/10/1993	
		5,246,445		Yachia et al.	9/21/1993	
		5,258,020		Froix	11/02/1993	
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	<u> </u>	5,262,451		Winters et al.	11/16/1993	
		5,266,073		Wall	11/30/1993	
		5,275,622		Lazarus et al.	1/4/1994	
		5,282,823		Schwartz et al.	2/1/1994	
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	ļ	5,283,257		Gregory et al.	2/1/1994	
		5,288,711		Mitchell et al.	2/22/1994	
-		5,290,305		Inoue	3/1/1994	
		5,292,331		Boneau	3/8/1994	
	ļ	5,292,802	•	Rhee et al.	3/08/1994	
		5,304,121		Sahatjian	4/19/1994	
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		5,306,250		March, K.L. et al.	4/26/1994	
		5,308,862		Ohlstein, E.H.	5/3/1994	
		5,308,889		Rhee et al.	5/3/1994	
		5,314,444		Gianturco	5/24/1994	

Examiner	Date
Signature	Considered

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Application Number	10/829,044
Filing Date	4/21/2004
First Named Inventor	Robert Falotico
Group Art Unit	3743
Examiner Name	
Attorney Docket Number	CRD0933CIP

U.S. PATENT DOCUMENTS

		U.S. Patent Document		U.U. I ATENT DOCUMENTO		
Examiner Initials	Cite No.1		nd Code ² f known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		5,314,472		Fontaine	5/24/1994	
		5,328,471		Slepian, M.J.	7/12/1994	
		5,334,301		Heinke et al.	8/2/1994	
		5,336,518		Pallassana, V.N. et al.	8/9/1994	
		5,338,770		Winters et al.	8/16/1994	
		5,342,348		Kaplan, A.	8/30/1994	
		5,342,387		Summers	8/30/1994	
		5,342,621		Eury, R.P.	8/30/1994	
		5,354,257		Roubin et al.	10/11/94	
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		5,356,433		Rowland et al.	10/18/1994	
		5,366,504		Andersen et al.	11/22/1994	
		5,368,566		Crocker, M.	11/29/1994	
		5,370,683		Fontaine	12/6/1994	
	,	5,370,691		Samson	12/6/1994	
		5,375,612		Cottenceau et al.	12/27/1994	
		5,376,112		Duran	12/27/1994	·
		5,380,299		Fearnot et al.	1/10/1995	

Examiner	Date	
Signature	Considered	•

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 6 of 19

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Application Number	10/829,044
Filing Date	4/21/2004
First Named Inventor	Robert Falotico
Group Art Unit	3743
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U.S. PATENT DOCUMENTS

U.S. Patent Document						
Examiner Initials	Cite No.1		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	
		5,382,261		Palmaz	1/17/1995	
		5,383,928		Scott et al.	1/24/1995	
		5,387,235		Chuter	2/7/1995	
		5,389,106		Tower	2/14/1995	
		5,393,772		Yue, T.L. et al.	2/28/1995	
		5,395,390		Simon et al.	3/7/1995	
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		5,403,341		Solar	4/4/1995	
		5,405,377		Cragg	4/11/1995	
,		5,409,696		Narayanan, P.V. et al.	4/25/1995	
		5,411,549		Peters	5/2/1995	
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		5,419,760		Narciso, Jr.	5/30/1995	
		5,421,955		Lau	6/6/1995	
		5,423,885		Williams	6/13/1995	
		5,429,618		Keogh	7/4/1995	·
		5,429,634		Narcisco, H.L.	7/4/1995	
		5,439,446		Barry, J.	8/8/1995	·
		5,441,515		Khosravi et al.	8/15/1995	
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		5,441,947		Dodge, J.A. et al.	8/15/1995	

Examiner	·- ·	Date	
Signature		Considered	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 7 of 19

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Application Number	10/829,044
Filing Date	4/21/2004
First Named Inventor	Robert Falotico
Group Art Unit	3743
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U.S. PATENT DOCUMENTS

		U.S. Patent Document			Date of Publication	Pages, Columns, Lines,
Examiner Initials	Cite No. ¹		nd Code ² f known)	Name of Patentee or Applicant of Cited Document	of Cited Document mm-dd-yyyy	where relevant passages or relevant figures appear
		5,443,458		Eury, R.P.	8/22/1995	
		5,443,477		Marin et al.	8/22/1995	
		5,443,496	<u></u>	Schwartz et al.	8/22/1995	
		5,443,498		Fontaine	8/22/1995	
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		5,447,724		Heimus et al.	9/5/1995	
		5,449,372		Schmaltz et al.	9/12/1995	
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	-	5,449,382		Dayton, M.	9/12/1995	
		5,464,450		Buscemi et al.	11//7/1995	
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		5,510,077		Dinh et al.	4/23/1996	
		5,516,781		Morris et al.	5/14/1996	
		5,523,092		Hanson, S.R. et al.	6/4/1996	
		5,527,354		Fontaine et al.	6/18/1996	
		5,545,208		Wolff et al.	8/13/1996	;·
		5,551,954		Buscemi, P.J. et al.	9/3/1996	

Examiner Date Signature Considered			
Signature Considered	Examiner	Date	
	Signature	Considere	1

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Application Number	10/829,044
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First Named Inventor	Robert Falotico
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Attorney Docket Number	CRD0933CIP

U.S. PATENT DOCUMENTS

		U.S. Patent Document			Data of D. Hillardian	Daniel Calaman Line
Examiner Initials	Cite No. ¹	1	ind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		5,554,182		Dinh et al.	9/10/1996	
		5,554,954		Takahashi	9/10/1996	
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1	Application Number	10/829,044
1	Filing Date	4/21/2004
	First Named Inventor	Robert Falotico
	Group Art Unit	3743
	Examiner Name	
	Attorney Docket Number	CRD0933CIP

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Examiner Initials	Cite No.1	Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
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	Application Number	10/829,044					
	Filing Date	4/21/2004					
	First Named Inventor	Robert Falotico					
	Group Art Unit	3743					
	Examiner Name						
	Attorney Docket Number	CRD0933CIP					

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Filing Date	4/21/2004
First Named Inventor	Robert Falotico
Group Art Unit	3743
Examiner Name	
Attorney Docket Number	CRD0933CIP
	Application Number Filing Date First Named Inventor Group Art Unit Examiner Name

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Application Number	10/829,044				
Filing Date	4/21/2004				
First Named Inventor	Robert Falotico				
Group Art Unit	3743				
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Attorney Docket Number	CRD0933CIP				

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Sheet 14 of 19

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Application Number	10/829,044					
Filing Date	4/21/2004					
First Named Inventor	Robert Falotico					
Group Art Unit	3743					
Examiner Name						
Attorney Docket Number	CRD0933CIP					

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Examiner Initials	Cite No. ¹		d Code ² (known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
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Robert Falotico					
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Application Number	10/829,044
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Examiner Name	
Attorney Docket Number	CRD0933CIP

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Sheet 17 of 19

Application Number	10/829,044
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Group Art Unit	3743
Examiner Name	
Attorney Docket Number	CRD0933CIP

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Filing Date	4/21/2004
First Named Inventor	Robert Falotico
Group Art Unit	3743
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